UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/622,959	12/11/2000	Doron Elgressy	063170.6607	5350

5073 7590 10/12/2007	EXAMINER
BAKER BOTTS L.L.P. 2001 ROSS AVENUE SUITE 600 DALLAS, TX 75201-2980	NGUYEN, MINH DIEU T

ART UNIT	PAPER NUMBER
2137	

NOTIFICATION DATE	DELIVERY MODE
10/12/2007	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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PTOL-90A (Rev. 04/07)

	Application No.	Applicant(s)
Office Action Summary	09/622,959	ELGRESSY ET AL.
	Examiner	Art Unit	
	Minh Dieu Nguyen	2137	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>02 August 2007</u>.

2a) ☒ This action is **FINAL**.   2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>27-34,42-49 and 57-64</u> is/are pending in the application.

    4a) Of the above claim(s) <u>1-26,35-41,50-56 and 65-71</u> is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) <u>27-34,42-49 and 57-64</u> is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some * c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1.   This office action is in response to the communication dated August 2, 2007 with

the amendments to claims 27-28, 34, 42-43, 49, 57-58 and 64.

2.   Claims 27-34, 42-49 and 57-64 are pending.

Response to Arguments

3.   Applicant's arguments filed August 2, 2007 have been fully considered but they

are not persuasive. The applicant argues that Touboul does not disclose providing, on a

workstation, a pre-set list of applications permitted to run on the workstation and a list of

one or more computer resources on the workstation to which are not accessible to

unspecified applications; receiving at the filter a request for access generated by an

unspecified application downloaded to the workstation from a source external to the

workstation, the request for access identifying a computer resource resident on the

workstation to which the unspecified application seeks access; and determining, by the

filter on the workstation, whether the requested computer resource is on the list of one

or more computer resources that are not accessible to unspecified applications. The

examiner respectfully disagrees, Touboul discloses providing, **on a workstation** (e.g.

internal network security system 110 is a workstation which includes a CPU 205, see

Touboul: col. 3, lines 23-61) a pre-set list of applications permitted to run on the

workstation (i.e. non-hostile downloadables, see Touboul: col. 4, lines 29-33), and a list

of one or more computer resources on the workstation to which are not accessible to

unspecified applications (see Touboul: col. 5, line 59 to col. 6, line 4; Fig. 3, element

310); determining, **by the filter on the workstation** (e.g. security program 255 is part of

the internal network security system workstation 110, security program and security

database control examination of incoming downloadables, see Touboul: Fig. 3), that the

unspecified application is not identifiable in a pre-set list of hostile applications (see

Touboul: col. 4, lines 29-33); determining, **by the filter on the workstation**, whether

the requested computer resource is on the list of one or more computer resources that

are not accessible to unspecified applications (see Touboul: Fig. 3, path 2).

The Applicant argues that the list of operations described by Touboul is not used

to determine whether a computer resource requested by an unspecified application is

on a list of one or more computer resources that are not accessible to unspecified

applications. The Examiner respectfully disagrees, Touboul discloses the ACL

comparator receives the Downloadable, the corresponding DSP data (i.e. list of all

potentially hostile or suspicious computer operations that may be attempted by a

specific downloadable) and the security policy from the code scanner and compares the

DSP data against the security policy. That is, the ACL comparator compares the DSP

data of the received Downloadable against the access control lists in the received

security policy. The access control list contains criteria indicating whether to pass or fail

the Downloadable. For example, an access control list may indicate that the

Downloadable fails if the DSP data includes a WRITE command to a system file

(Touboul: col. 6, lines 13-23).

Claim Objections

4.   The objection of claims 27-28, 34, 42-43, 49, 57-58 and 64 have been withdrawn

based on the filed amendments.

Claim Rejections - 35 USC § 103

5.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

6.   Claims 27-32, 34, 42-47, 49, 57-62 and 64 are rejected under 35 U.S.C. 103(a)

as being unpatentable over Touboul (6,092,194) in view of Hayman et al. (5,859,966).

        a)   As to claims 27, 42 and 57, Touboul discloses a system and method for

protecting a computer (i.e. computer resources) and a network from hostile

downloadables comprising providing, on a workstation (e.g. internal network security

system 110), a pre-set list of applications permitted to run on the workstation (i.e. non-

hostile downloadables, see Touboul: col. 4, lines 29-33) and a list of one or more

computer resources on the workstation that are not accessible to unspecified

applications (see Touboul: col. 5, line 59 to col. 6, line 4; Fig. 3, element 310); providing

a filter on the workstation for receiving internal requests for computer resources resident

on the workstation (addressed by Hayman); receiving at the filter a request for access

generated by an unspecified application (i.e. downloadables, see Touboul: col. 1, lines

44-55) downloaded to the workstation from a source external to the workstation

(downloadables are executable application programs running on the destination computer utilize destination computer resources/operations, see Touboul: col. 4, lines 33-35), the request for access identifying a computer resource resident on the workstation (see Touboul: col. 4, lines 41-45) to which the unspecified application seeks access (col. 9, lines 24-29), determining, by the filter on the workstation (e.g. security program in the internal network security system workstation) that the unspecified application is not identifiable in a pre-set list of applications (see Touboul: col. 4, lines 29-33); determining, by the filter on the workstation, whether the requested computer resource is on the list of one or more computer resources that are not accessible to unspecified applications (see Touboul: Fig. 3, path 2); allowing access to the requested computer resource if the requested computer resource is not on the list of one or more computer resources that are not accessible to unspecified applications (see Touboul: Fig. 6C, element 666); and preventing access to the requested computer resource if the requested computer resource is on the list of one or more computer resources that are not accessible to unspecified applications (see Touboul: Fig. 6C, element 670).

Touboul is silent on the capability of providing a filter on a workstation for receiving internal requests for computer resources resident on the workstation.

Hayman is relied on for the teaching of protecting the information on the computer system from unauthorized access, wherein these accesses come from outside and often from within (see Hayman: col. 1, lines 13-20). This anticipates secure mechanism in identifying internal requests (see Hayman: col. 1, lines 5-10).

It would have been obvious to one of ordinary skill in the art at the time of the invention to employ the use of providing a filter on a workstation for receiving internal requests for computer resources resident on the workstation in the system of Touboul as Hayman discloses to broadly protect computer information from unauthorized (external and internal) accesses.

b)   As to claims 28, 43 and 58, the combination of Touboul and Hayman discloses the list of one or more computer resources comprises a look-up table (see Touboul: col. 5, lines 59-67 to col. 6, lines 1-4; Fig. 3, element 310; col. 5, lines 45-48).

c)   As to claims 29, 44 and 59, the combination of Touboul and Hayman discloses the requested computer resource is selected from the group consisting of a memory allocation, a file and a directory (see Touboul: col. 5, line 59 to col. 6, line 4).

d)   As to claims 30, 45 and 60, the combination of Touboul and Hayman discloses the requested computer resource is selected from the group consisting of a copy command, a delete command and a compress command (i.e. file operations, see Touboul: col. 5, line 59).

e)   As to claims 31, 46 and 61, the combination of Touboul and Hayman discloses the requested computer resource comprises an operation that when performed leads to a permanent change in the workstation (see Touboul: col. 5, line 59 to col. 6, line 4).

f)   As to claims 32, 47 and 62, please see addressed claim 27.

g)   As to claims 34, 49 and 64, the combination of Touboul and Hayman discloses the list of one or more computer resources comprises a list of one of more

computer resources that the unspecified application may use during operations

performed by the unspecified application (see Touboul: col. 5, line 35 to col. 6, line 4).

7.   Claims 33, 48 and 63 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Touboul (6,092,194) in view of Hayman et al. (5,859,966) and further in view of

Hind et al. (5,987,523).

Touboul and Hayman are silent on the capability of receiving the request

comprises receiving an indirect request generated by the unspecified application.

Hind is relied on for the teaching of receiving an indirect request generated by

the unspecified application (see Hind: col. 5, lines 20-41).

It would have been obvious to one of ordinary skill in the art at the time of the

invention to employ the use of receiving the request comprises receiving an indirect

request generated by the unspecified application in the system of Touboul and Hayman,

as Hind discloses, so as to provide flexibility of communication in the computer system.

Conclusion

8.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

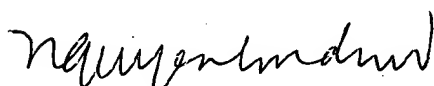mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the mailing date of this final action.

9.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Minh Dieu Nguyen whose telephone number is 571-272-

3873.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Emmanuel Moise can be reached on 571-272-3865. The fax phone number

for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for published

applications may be obtained from either Private PAIR or Public PAIR. Status

information for unpublished applications is available through Private PAIR only. For

more information about the PAIR system, see http://pair-direct.uspto.gov. Should you

have questions on access to the Private PAIR system, contact the Electronic Business

Center (EBC) at 866-217-9197 (toll-free).

mdn
10/2/07

EMMANUEL L. MOISE
SUPERVISORY PATENT EXAMINER